

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON NATURAL RESOURCES

Call to Order: By Chairman Walter McNutt, on February 19, 2007
at 3:25 P.M., in Room 472 Capitol.

ROLL CALL

Members Present:

Rep. Walter McNutt, Chairman (R)
Rep. Ron Erickson, Vice Chairman (D)
Rep. Ralph Heinert, Vice Chairman (R)
Rep. Duane Ankney (R)
Rep. Debby Barrett (R)
Rep. Jill Cohenour (D)
Rep. Sue Dickenson (D)
Rep. Betsy Hands (D)
Rep. Gordon R. Hendrick (R)
Rep. Carol Lambert (R)
Rep. Scott Mendenhall (R)
Rep. JP Pomnichowski (D)
Rep. John (Jack) W. Ross (R)
Rep. Veronica Small-Eastman (D)
Rep. Kendall Van Dyk (D)
Rep. Chas Vincent (R)

Members Excused: None

Members Absent: None

Staff Present: Krista Lee Evans, Legislative Branch
Nancy Kraft, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 509, 2/2/2007; HB 607,
2/12/2007; HB 708, 2/16/2007; HB
711; HJ 36
Executive Action: HJ 36

HEARING ON HB 607

Opening Statement by Sponsor:

00:01:37 Rep. Dave McAlpin (D), HD 94, opened the hearing on HB 607, Increase solid waste disposal fee to fund recycling.

Proponents' Testimony: None

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses: None

Closing by Sponsor:

00:02:46 Rep. McAlpin

HEARING ON HB 509

Opening Statement by Sponsor:

00:03:30 Rep. Ron Erickson (D), HD 93, opened the hearing on HB 509, Revise coal mining laws.

[EXHIBIT\(nah37a01\)](#)

[EXHIBIT\(nah37a02\)](#)

[EXHIBIT\(nah37a03\)](#)

Proponents' Testimony:

00:09:49 Rep. Butcher, House District 29

00:14:27 Ellen Pfister, Northern Plains Resource Council

[EXHIBIT\(nah37a04\)](#)

00:17:59 Nick Golder, Northern Plains Resource Council

00:25:48 Jeane Charter, Bull Mountain Land Alliance

[EXHIBIT\(nah37a05\)](#)

00:28:13 Peter Mickelsen, Spear T Ranch, Lewistown, Montana

00:36:50 Wade Sikorski

00:38:40 Jeff Barber, Montana Environmental Information Center (MEIC)

00:38:58 Siri Smillie, Montana Conservation Voters

00:40:08 Steve Welch, Department of Environmental Quality (DEQ)

Opponents' Testimony:

00:41:27 Bud Clinch, Montana Coal Council

[EXHIBIT \(nah37a06\)](#)

[EXHIBIT \(nah37a07\)](#)

01:04:05 Todd O'Hair, Rio Tinto Energy America

01:12:05 Bob Montgomery, Rosebud Mine, Colstrip, Montana

01:12:32 Don Allen, Western Environmental Trade Association
(WETA)

Informational Testimony: None

Questions from Committee Members and Responses:

01:14:37 Rep. Dickenson

01:15:28 Rep. Erickson

01:17:28 Rep. Dickenson

01:18:16 Mr. Clinch

01:20:25 Mr. Montgomery

01:23:11 Rep. Van Dyk

01:23:50 Mr. Clinch

01:25:36 Rep. Van Dyk

01:26:08 Mr. Montgomery

01:29:09 Rep. Pomnichowski

01:29:57 Mr. Welch

01:30:29 Neil Harrington, DEQ

01:32:45 Rep. Pomnichowski

01:33:10 Mr. Welch

01:33:35 Rep. Barrett

01:33:59 Mr. Welch

01:35:20 Rep. Small-Eastman

01:36:18 Rep. Erickson

01:36:43 Rep. Small-Eastman

01:36:57 Mr. O'Hair

01:37:58 Rep. Small-Eastman

01:38:20 Mr. Clinch

01:39:17 Rep. Dickenson

01:39:40 Ms. Charter

01:44:31 Rep. Mendenhall

01:45:52 Mr. Welch

01:48:37 Rep. Barrett

01:49:15 Mr. Clinch

01:50:55 Mr. O'Hair

01:52:42 Rep. Ankney

01:53:09 Mr. Montgomery

Closing by Sponsor:

01:55:18 Rep. Erickson

02:01:42 Break

HEARING ON HB 708

Opening Statement by Sponsor:

02:16:44 Rep. Chas Vincent (R), HD 2, opened the hearing on HB 708, Define perennial stream for streambed preservation purposes.

Proponents' Testimony: None

Opponents' Testimony:

02:20:51 Tim Ravndal, Montana Multiple Use Association (MMUA)
EXHIBIT (nah37a08)

02:31:30 Duane Halverson, MMUA

02:38:16 Jim Beck, Broadwater County Conservation District

02:40:25 Dennis Hildebrand, Mineral County Conservation District

02:45:58 Pete Woll, Flathead County Conservation District

02:47:19 John Youngberg, Montana Farm Bureau

02:48:02 John Bloomquist, Montana Stockgrowers' Association

02:49:04 Sarah Carlson, Montana Association of Conservation Districts (MACO)

02:52:55 Mark Aagenes, Montana Trout Unlimited

02:53:48 Bob Lane, Department of Fish, Wildlife, & Parks (DFWP)

02:55:34 Alan Wright, MMUA

Informational Testimony:

02:57:40 Ray Beck, Department of Natural Resources and Conservation (DNRC)

Questions from Committee Members and Responses: None

Closing by Sponsor:

02:58:09 Rep. Vincent

HEARING ON HB 711

Opening Statement by Sponsor:

03:00:39 Rep. Rick Jore (C), HD 12, opened the hearing on HB 711, Recognize vested water rights on federal land.

Proponents' Testimony:

03:03:16 Dr. Angus McIntosh

03:10:31 Jerri Thomas

03:12:50 Wes Frye
03:15:18 Pat Torgerson, Women Involved in Farm Economics (WIFE)
03:15:53 Jae Notti, Ashland Grazing Association
03:17:14 Maxine Korman, Hinsdale, Montana

[EXHIBIT \(nah37a09\)](#)

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

03:32:38 Rep. Lambert
03:33:07 Dr. McIntosh
03:33:16 Rep. McNutt
03:33:41 Rep. Jore
03:34:27 Rep. McNutt
03:35:26 Rep. Jore
03:35:59 Dr. McIntosh
03:38:33 Rep. McNutt
03:38:43 Dr. McIntosh
03:40:05 Rep. Ankney
03:41:13 Mr. Notti
03:41:50 Krista Evans

Closing by Sponsor:

03:42:52 Rep. Jore
03:44:05 Break

HEARING ON HJ 36

Opening Statement by Sponsor:

03:59:52 Rep. Carol Lambert (R), HD 39, opened the hearing on HJ 36, Urge PILT payment and mineral royalty separation.

Proponents' Testimony:

04:00:24 Willie Duffield, Montana Association of Oil and Gas Counties

Opponents' Testimony: None

Informational Testimony: None

Questions from Committee Members and Responses:

04:01:16 Rep. Heinert
04:01:42 Rep. Lambert
04:01:46 Rep. Small-Eastman
04:02:00 Rep. Lambert

Closing by Sponsor:

04:02:52 Rep. Lambert

EXECUTIVE ACTION ON HJ 36

04:03:53 **Motion/Vote:** Rep. Lambert moved that HJ 36 **BE ADOPTED**.
Motion carried unanimously by voice vote. Reps.
Mendenhall, Barrett, Ross, and Hands voted by proxy.
04:05:18 Without objection, the Committee decided to request
this be put on the Consent Calendar.

Additional Exhibits:

Document received after hearing on HB 509; Hearing 02/19/07

EXHIBIT(nah37a10)

Documents received after hearing on HB 711; Hearing 02/19/07

EXHIBIT(nah37a11)

Document received after hearing on HB 138 and 373; Hearing
02/09/07

EXHIBIT(nah37a12)

Documents received after hearing on HB 408; Hearing 02/12/07

EXHIBIT(nah37a13)

ADJOURNMENT

04:08:24 Adjournment: 7:35 P.M.

REP. WALTER MCNUTT, Chairman

NANCY KRAFT, Secretary

WM/nk

Additional Exhibits:

EXHIBIT ([nah37aad.pdf](#))